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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

LORIN MAUREEN FRANCO,

Defendant and Appellant.

2d Crim. No. B213286
(Super. Ct. No. 2008003968)
(Ventura County)

Lorin Maureen Franco appeals the judgment entered after a jury convicted her of vehicular manslaughter with gross negligence (Pen. Code, § 192, subd. (c)(1)), and leaving the scene of an accident involving death (Veh. Code, § 20001, subd. (b)(2)). The jury also found true the allegation as to the manslaughter count that appellant fled the scene of the crime (Veh. Code, § 20001, subd. (c)). The trial court suspended imposition of sentence and placed her on 60 months of formal felony probation, with terms and conditions including that she serve 365 days in county jail with credit for two days of actual time served.

At about 10:30 a.m. on June 6, 2006, Franco and Henry Chavez were seen racing each other in their Mustang vehicles on the Ventura Freeway, each reaching speeds of approximately 100 miles per hour. Franco applied her brakes while Chavez was directly behind her, causing him to lose control of his vehicle. The vehicle travelled

to the other side of the freeway, flipped, and landed in a strawberry field. Chavez was killed. Franco did not stop.

Franco testified that she was driving approximately 75 miles an hour on the freeway when Chavez began tailgating her. When she changed lanes, he followed her. Noticing that her speed had increased, she tapped on her brakes to slow down. Chavez veered to avoid hitting her, then lost control of his vehicle. She saw a plume of dust but kept driving as her boyfriend advised when she called him on her cell phone. The day before the accident, however, Franco had written on her MySpace page, "If you find me on the freeway and you can keep up I have a really bad habit of racing random people."

We appointed counsel to represent Franco in this appeal. After counsel's examination of the record, she filed an opening brief in which no issues were raised.

On July 27, 2009, we advised Franco that she had 30 days within which to personally submit any contentions or issues she wished us to consider. She did not respond.

We have reviewed the entire record and are satisfied that Franco's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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PERREN, J.

We concur:

YEGAN, Acting P.J.

COFFEE, J.

Edward F. Brodie, Judge
Superior Court County of Ventura

Esther R. Sorkin, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.